

REMARKS AND ARGUMENT

Claims 12-29 remain pending in the present application. Claims 16, 18-22 and 24-26 have been amended herein. Claim 16 has been amended to correct minor typographical errors and the remaining amendments will be discussed below.

Terminal Disclaimer

A terminal disclaimer is attached to the present Amendment in response to the Double Patenting rejection raised by the Examiner.

37 C.F.R. 175(c) Rejections

The Examiner objected to Claims 18-22 and 24-26 under 37 C.F.R. 175(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. By the present amendment, Applicant has amended dependent claims 18-22 and 24-26 to more clearly recite the limitations of the dependent claims with respect to the particular steps of the methods of the corresponding independent claims 17 and 23 to address the indefiniteness objections of the Examiner.

35 U.S.C. 103(a) Rejections

Claims 12-16 and 23-26 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Suchodolski et al. U.S. Patent 5,325,937 (Suchodolski) in view of Matarin et al. U.S. Patent 5,604,331 (Matarin).

The Examiner alleges that Suchodolski discloses an elevator car suspension system for attenuating elevator system vibrations having a plurality of upper tension members for suspending an elevator car from an upper portion of an elevator sling. The Examiner maintains that Matarin teaches tension members comprised of synthetic fibers and alleges that it would have been obvious to one of ordinary skill in the art at the time of the invention to construct the tension members disclosed by Suchodolski using synthetic fibers taught by Matarin to facilitate weight reduction and tension straying within the elevator system.

Applicant points out that there is no disclosure in Suchodolski of the material from which tension members may be formed and, furthermore, there is no motivation to combine Suchodolski with Matarin. Matarin discloses an anti-fire sheath intended mainly for providing cabling with thermal protection in the event of a fire or for other extreme temperature conditions. It is Applicant's interpretation that Matarin's entire disclosure contemplates that the synthetic cable disclosed therein is solely used to provide temperature protection. Nowhere does Matarin disclose or contemplate that synthetic cable may be used to attenuate mechanical vibrations much less attenuating elevator system vibrations. Accordingly, the invention of claims 12-16 and 23-26 is not an obvious combination of the subject documents and rejection of these claims under 35 U.S.C. 103(a) should be withdrawn.

Claims 17-22 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Suchodolski et al. U.S. Patent 5,325,937 in view of Matarin et al. U.S. Patent 5,604,331 and in further view of Toyoshima et al. Japanese Patent 54040451 (Toyoshima).

The Examiner contends that Suchodolski discloses a method for isolating an elevator car platform from elevator system vibrations comprised of suspending an elevator car from an upper portion of an elevator sling with tension members. The Examiner further contends that Suchodolski in view of Matarin teaches tension members manufactured from synthetic fibers. The Examiner notes that Suchodolski in view of Matarin is silent concerning securing the elevator car platform to a lower portion of the elevator sling with tension members but notes that Toyoshima teaches securing an elevator car platform to a lower portion of an elevator sling with tension members.

Applicant submits the comments above with regard to the rejection of claims 12-16 and 23-26 are applicable and therefore responsive to the rejection of claims 17-22. In brief, Suchodolski does not suggest a particular material for tension members in the elevator car suspension system and Matarin does not suggest that a synthetic rope could be used for tension members in elevator applications. Toyoshima does not make up for the deficiencies of Suchodolski and Matarin to suggest the claimed invention. Toyoshima discloses a cage frame for an elevator having tie rods below

the elevator floor. Toyoshima only discloses the tie rods are “made of round rod or other....” (abstract, line 7). There is no disclosure of the composition of the tie rods and there is especially no teaching that the tie rods could be formed from synthetic fibers or that such tie rods could attenuate vibrations of the elevator system. Accordingly, there is no motivation to combine Toyoshima with Suchodolski and Matarin in the manner in which the Examiner has combined them. Furthermore, such a combination would not result in the claimed invention, but would yield an elevator cage suspended from a synthetic rope. Therefore, the invention of claims 17-22 is not an obvious combination of Suchodolski, Matarin and Toyoshima and the rejection of these claims under 35 U.S.C. 103(a) should be withdrawn.

Finally, the Examiner has rejected Claims 27-29 under 35 U.S.C. 103(a) as being unpatentable over Suchodolski et al. U.S. Patent 5,325,937 in view of Matarin et al. U.S. Patent 5,604,331 as applied to claims 12-16 and 23-26 above, and further in view of Hymans U.S. Patent 2,246,732. The Examiner contends that Suchodolski discloses an elevator car assembly for attenuating elevator system vibrations in an elevator system. The Examiner further contends that Suchodolski in view of Matarin teaches tension members manufactured from synthetic fibers. The Examiner notes that Suchodolski in view of Matarin is silent concerning isolation pads for supporting the elevator car platform and notes that Hymans teaches isolation pads for supporting on the lower portion of the elevator sling.

Applicant submits the comments above with regard to the rejection of claims 12-16 and 23-26 are applicable and therefore responsive to the rejection of claims 27-29. In brief, Suchodolski does not suggest a particular material for tension members in the elevator car suspension system and Matarin does not suggest that a synthetic rope could be used for tension members in elevator applications. Applicant maintains that it is not claiming isolation pads in and of themselves and that the teaching of such pads in Hymans does not make up for the deficiencies of Suchodolski and Matarin to suggest the claimed invention.

Conclusion:

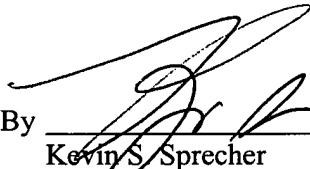
Applicant has made an earnest effort to be fully responsive to the Examiner's objections and believes that Claims 12-29 are now in condition for allowance. The applicant solicits the allowance of these Claims.

If, however, the Examiner should for any reason consider this application not to be in condition for allowance he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,

Rory S. Smith

By


Kevin S. Sprecher
Registration No. 42,165
Attorney for Applicant(s)

FROST BROWN TODD LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202
(513) 651-6121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 22nd day of March 2006.


Kevin S. Sprecher